

Remarks/Arguments:

This case has been carefully considered in view of the Examiner's action in order to place this case in condition for allowance. Claims 1, 3 and have been amended and Claims 2 and 7 have been cancelled without prejudice.

The purpose of this invention is to provide a cart for safely transporting and storing a single, large vertically oriented cylindrical canister which weighs six hundred to nine hundred pounds or more and which is manually pushed. It is understood that maneuvering such a canister may be dangerous for operators as any shifting of the canister can trap and crush fingers, hands, arms, legs against the ground or walls. Thus, there exists a need for a cart not found in the prior art which will constantly protect the operator from injury and which may be disassembled for repair and maintenance.

For example in the reference Salvucci (U.S. Patent 5,145,311) cited by the Examiner, Cart 29 would be very dangerous to operators since the canister bottom is almost the full size of the bottom platform of the cart base. In addition, there are shown three side rails and one open end with a canister secured by what appears to be a cord or rope. When wheeling Cart 29 injury would be likely if the cart tipped forward when hitting an obstacle. The top of the canister would fall forward and causing potential injury. The bottom of the canister would also jerk backwards causing injury to the operator pushing the cart.

The structural features providing applicant's stable cart are set forth in amended claim 1 described below.

First however, it is important to point out that applicant's method does much more than inherently perform the process of the prior art device. Thus, specifically in applicant's method

of raising an empty canister onto the cart, and encircling the canister with the band and attaching the band, filling the canister with liquid and manually pushing and constantly maintaining the canister assembly on all four wheels. New dependent claim 10 further requires the steps of determining when a canister requires filling and then refilling the canister and manually maintaining the canister assembly on all four wheels. When maintenance or repairs are required the band is removed from the canister and the canister lifted out of the cart as set forth in new claim 10. These method steps are not shown or suggested by Salvucci who does not provide for a semi-permanent canister assembly in which the assembly is wheeled to its place of use and then wheeled to a filling station with these steps repeated until the potential of repair or maintenance is needed and then the canister removed from the assembly.

With respect to apparatus claim 1 is respectfully submitted that amended claim 1 is not anticipated or made obvious in view of Salvucci. Specifically, claim 1 now require that the stable base have four wheel brackets to allow for a low center of gravity of the canister in which the bottom of the base of the canister is below the top of the wheels. For example, as shown in Fig. 2 the wheel brackets are rigidly secured to the stable base 22 to permit the stable base to, for example, be within three inches of clearance from the ground. This clearance allows the cart 20 to be maneuvered over terrain in industrial locations while providing enhanced stability as set forth at page 6, lines 7-14 of the specification.

Stability is further enhanced as set forth in amended claim 1 with the legs of the side rails being rigidly positioned above a respective one of the wheels.

Still further stability is provided as set forth in amended claim 3 by the use of tabs coupling the circumferential metal band to the side rails now positioned above the wheels as set forth in claim 1. This is shown, for example, in Fig. 2 as tabs 32 and 44 being fastened by

means 36 to provide sufficient dimension (as claimed) for a gap between the side rail and the canister to avoid pinching the fingers of the operator.

None of these features are shown or suggested by Salvucci. In fact the instability of cart 29 of Salvucci teaches away from Applicant's amended claim 1. Most of the other carts cited by the Examiner do not have Applicant's support and stability. Applicant provides a canister assembly and cart which join together for semi-permanent arrangement during the initial fillings and subsequent fillings and provide for repair.

The same arguments apply with respect to the remaining claims.

Further claim 11 has been added dependent on claim 1 to provide for a stable base having vertical side walls to receive the canister and prevent side ways movement of the canister. This also aids in the stability of Applicant's cart.

Reconsideration is requested.

Respectfully submitted,



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